

Coast Guard, DHS

§ 165.901

Port, Lake Michigan, or his on-scene representative.

EFFECTIVE DATE NOTE: By USCG–2013–0140, 78 FR 31417, May 24, 2013, temporary §165.T09–0140 was added, effective from Aug. 1, 2013 to Aug. 30, 2014.

§ 165.T09–0971 Safety zone; overhead cable replacement, Maumee River, Toledo, OH.

(a) *Location.* The following area is a temporary safety zone: all U.S. navigable waters of the Maumee River, Toledo, OH, starting from the CSX Railroad Bridge at River Mile Marker 1.07 and ending 700 feet down river from the CSX Railroad Bridge.

(b) *Effective and enforcement period.* This regulation will be enforced from 8:30 a.m. on November 27, 2012 until 6:30 p.m. on December 7, 2012. This regulation will be enforced from 8:30 a.m. until 6:30 p.m. on each day of this period.

(c) *Definitions.* The following definitions apply to this section:

(1) “On-scene Representative” means any Coast Guard Commissioned, warrant, or petty officer designated by the Captain of the Port Detroit to monitor a safety zone, permit entry into the zone, give legally enforceable orders to persons or vessels within the zones, and take other actions authorized by the Captain of the Port.

(2) “Public vessel” means vessels owned, chartered, or operated by the United States, or by a State or political subdivision thereof.

(d) *Regulations.* (1) In accordance with the general regulations in §165.23 of this part, entry into, transiting, or anchoring within this safety zone is prohibited unless authorized by the Captain of the Port Detroit, or his designated representative.

(2) This safety zone is closed to all vessel traffic, excepted as may be permitted by the Captain of the Port Detroit or his designated representative. All persons and vessels must comply with the instructions of the Coast Guard Captain of the Port or his designated representative. Upon being hailed by the U.S. Coast Guard by siren, radio, flashing light or other means, the operator of a vessel shall proceed as directed.

(3) All vessels must obtain permission from the Captain of the Port or his designated representative to enter, move within, or exit the safety zone established in this section when this safety zone is enforced. Vessels and persons granted permission to enter the safety zone must obey all lawful orders or directions of the Captain of the Port or a designated representative. While within a safety zone, all vessels must operate at the minimum speed necessary to maintain a safe course.

(e) *Exemption.* Public vessels, as defined in paragraph (b) of this section, are exempt from the requirements in this section.

(f) *Waiver.* For any vessel, the Captain of the Port Detroit or his designated representative may waive any of the requirements of this section, upon finding that operational conditions or other circumstances are such that application of this section is unnecessary or impractical for the purposes of public or environmental safety.

(g) *Notification.* The Captain of the Port Detroit will notify the public that the safety zones in this section are or will be enforced by all appropriate means to the affected segments of the public including publication in the FEDERAL REGISTER as practicable, in accordance with 33 CFR 165.7(a). Such means of notification may also include, but are not limited to Broadcast Notice to Mariners or Local Notice to Mariners. The Captain of the Port will issue a Broadcast Notice to Mariners notifying the public when enforcement of the safety zone is cancelled.

[USCG–2012–0971, 77 FR 71699, Dec. 4, 2012]

§ 165.901 Great Lakes—regulated navigation areas.

(a) *Lake Huron.* The following are regulated navigation areas:

(1) The waters of Lake Huron known as South Channel between Bois Blanc Island and Cheboygan, Michigan; bounded by a line north from Cheboygan Crib Light (LL–1340) at 45°39′48″ N, 84°27′36″ W; to Bois Blanc Island at 45°43′42″ N, 84°27′36″ W; and a line north from the mainland at 45°43′00″ N, 84°35′30″ W; to the western tangent of Bois Blanc Island at 45°48′42″ N, 84°35′30″ W.

(2) The waters of Lake Huron between Mackinac Island and St. Ignace, Michigan, bounded by a line east from position 45°52'12" N, 84°43'00" W; to Mackinac Island at 45°52'12" N, 84°39'00" W; and a line east from the mainland at 45°53'12" N, 84°43'30" W; to the northern tangent of Mackinac Island at 45°53'12" N, 84°38'48" W.

(b) *Lake Michigan*. The following is a regulated navigation area—The waters of Lake Michigan known as Gray's Reef Passage bounded by a line from Gray's Reef Light (LL-2006) at 45°46'00" N, 85°09'12" W; to White Shoals Light (LL-2003) at 45°50'30" N, 85°08'06" W; to a point at 45°49'12" N, 85°04'48" W; then to a point at 45°45'42" N, 85°08'42" W; then to the point of beginning.

(c) *Regulations*. The COTP, Sault Ste. Marie, will close and open these regulated navigation areas as ice conditions dictate. Under normal seasonal conditions, only one closing each winter and one opening each spring are anticipated. Prior to the closing or opening of the regulated navigation areas, the COTP will give interested parties, including both shipping interests and island residents, not less than 72 hours notice of the action. No vessel may navigate in a regulated navigation area which has been closed by the COTP. Under emergency conditions, the COTP may authorize specific vessels to navigate in a closed regulated navigation area.

[CGD 79-034, 47 FR 29660, July 8, 1982, as amended by CGD 79-026, 48 FR 35408, Aug. 4, 1983]

§ 165.902 Niagara River at Niagara Falls, New York—safety zone.

(a) The following is a safety zone—The United States waters of the Niagara River from the crest of the American and Horseshoe Falls, Niagara Falls, New York to a line drawn across the Niagara River from the downstream side of the mouth of Gill Creek to the upstream end of the breakwater at the mouth of the Welland River.

§ 165.903 Safety Zones: Cuyahoga River and Old River, Cleveland, OH.

(a) *Location*. The waters of the Cuyahoga River and the Old River extending ten feet into the river at the following eleven locations, including the adja-

cent shorelines, are safety zones, coordinates for which are based on NAD 83.

(1) From the point where the shoreline intersects longitude 81°42'24.5" W, which is the southern side of the Norfolk and Southern No. 1 railroad bridge, southeasterly along the shore for six hundred (600) feet to the point where the shoreline intersects longitude 81°42'24.5" W, which is the Holy Moses Water Taxi Landing at Fado's Restaurant.

(2) One hundred (100) feet downriver to one hundred (100) feet upriver from 41 degrees 29'53.5" N, 81 degrees 42'33.5" W, which is the knuckle on the north side of the Old River entrance at Ontario Stone.

(3) Fifty (50) feet downriver to fifty (50) feet upriver from 41 degrees 29'48.4" N, 81 degrees 42'44" W, which is the knuckle adjacent to the Ontario Stone warehouse on the south side of the Old River.

(4) From 41 degrees 29'51.1" N, 81 degrees 42'32.0" W, which is the corner of Christie's Cabaret pier at Sycamore Slip on the Old River, to fifty (50) feet east of 41 degrees 29'55.1" N, 81 degrees 42'27.6" W, which is the north point of the pier at Shooter's Restaurant on the Cuyahoga River.

(5) Twenty-five (25) feet downriver to twenty-five (25) feet upriver of 41 degrees 29'48.9" N, 81 degrees 42'10.7" W, which is the knuckle toward the downriver corner of the Nautica Stage.

(6) Ten (10) feet downriver to ten (10) feet upriver of 41 degrees 29'45.5" N, 81 degrees 42'9.7" W, which is the knuckle toward the upriver corner of the Nautica Stage.

(7) The fender on the west bank of the river at 41 degrees 29'45.2" N, 81 degrees 42'10" W, which is the knuckle at Bascule Bridge (railroad).

(8) The two hundred seventy (270) foot section on the east bank of the river between the Columbus Road bridge (41 degrees 29'18.8" N, 81 degrees 42'02.3W) downriver to the chain link fence at the upriver end of the Commodores Club Marina.

(9) Fifty (50) feet downriver of twenty-five (25) feet upriver from 41 degrees 29'24.5" N, 81 degrees 41'57.2" W, which is the knuckle at the Upriver Marine fuel pump.